

NEW YORK HERALD

BROADWAY AND ANN STREET.

JAMES GORDON BENNETT,
PROPRIETOR.

Volume XXXIII.....No. 127

AMUSEMENTS THIS EVENING.

NEW YORK THEATRE, opposite New York Hotel.—
FARM AND HUNT.OLYMPIC THEATRE, Broadway.—HUMPTY DUMPTY
Maiden at 12.FRENCH THEATRE.—Maiden at 1—308 TERRAZA.
Evening—Casta.

NIBLO'S GARDEN, Broadway.—THE WHITE FAWN.

WALLACK'S THEATRE, Broadway and 12th street.—
TOWN AND COUNTRY.BOWERY THEATRE, Bowery.—JACK SHEPPARD—
ROBINSON CRUSOE.

BROADWAY THEATRE, Broadway.—CONNIE SOGGAN.

STEINWAY HALL.—GRAND COMPLIMENTARY CONCERT.

IRVING HALL.—BLIND TOM'S CONCERT.

THEATRE COMIQUE, 514 Broadway.—BALLET, FARCE,
ETC. MAIDEN.KELLY & LEON'S MINSTRELS, 720 Broadway.—SONGS,
ECSTASIES, ETC.—GRAND DEUTCH "N."SAN FRANCISCO MINSTRELS, 535 Broadway.—ETHIO-
PIAN ENTERTAINMENT, SINGING, DANCING, ETC.TONY PASTOR'S OPERA HOUSE, 211 Bowery.—COMIC
TODOLIN, NUBLO MINSTRELS, ETC. MAIDEN AT 2 1/2.MRS. F. R. CONWAY'S PARK THEATRE, Brooklyn.—
UNDER THE GARGLE.EUROPEAN CIRCUS, Broadway and 54th street.—EQUIS-
TRIAN PERFORMANCE, MYING ANIMALS, ETC.HOOVER'S OPERA HOUSE, Brooklyn.—ETHIOPIAN
MINSTRELS.—PANDORA.—PROGRESS OF AMERICA.HALL, 954 and 956 Broadway.—PANDORA OF THE WAR.
MAIDEN AT 2.NEW YORK MUSEUM OF ANATOMY, 515 Broadway.—
SCIENCE AND ART.

TRIPLE SHEET.

New York, Wednesday, May 6, 1868.

THE NEWS.

IMPEACHMENT.

In the High Court yesterday Mr. Bingham continued his closing address for the prosecution. He finally yielded to a motion to adjourn, saying that he would require about an hour to-day in which to conclude.

CONGRESS.

In the Senate yesterday nothing was done outside of the impeachment business.

In the House Mr. Dawes, of Massachusetts, presented a resolution directing the Donnelly investigating committee to inquire into the charges of gold robbing presented by Mr. Brooks against Mr. Butler. Mr. Brooks desired also to investigate the charges made by Mr. Butler relative to the lawsuit with Mr. Clarke in New York, and exhibited a letter purporting to come from Mr. Clarke denying Mr. Butler's statement in toto. Mr. Brooks also asked that the report of General Baldy Smith and James T. Brady on the management of affairs in New Orleans by General Butler be laid before the committee of investigation; but Mr. Dawes said it was unnecessary to instruct the committee, and the resolution as originally introduced was agreed to. Mr. Cary, of Ohio, offered as a question of privilege a resolution that, in view of the debates which took place on Friday, Saturday and Monday, the impeachment managers be requested to withdraw the article charging the President with indecent harangues. A motion to adjourn was immediately made and acceded to.

THE LEGISLATURE.

In the Senate yesterday the General Charity bill appropriating \$23,000 was passed. The Charity bill passed last year appropriated \$200,000. Several other bills not of general interest were also passed. The reports of the conference committee on the Canal Appropriation and Supply bill were concurred in. Conference committees were appointed on the two tax levies. The bill for the construction of certain piers on North river was passed. A concurrent resolution to adjourn sine die at ten o'clock last night was adopted, but the Assembly having failed to concur the Senate adjourned until this morning.

In the Assembly the report of the conference committee on the Supply bill was adopted. Committees of conference were appointed on the county tax levy and the State Charity bill. Bills were passed relative to buildings in New York city, and authorizing the Attorney General to institute suits for annulling certain canal repair contracts. A bill to abolish the canal repairs contract system was introduced and referred. The complementary resolutions which usually are the forerunners of an early adjournment sine die were then tendered the Speaker and Clerk, and the Assembly adjourned until this morning.

EUROPE.

The news reports by the Atlantic cable is dated May 5, at midnight.

Mr. Gladstone called the attention of Parliament to the Cabinet explanations of the crisis yesterday and the power of dissolution at discretion said to have been accorded by the Queen to Mr. Disraeli. Mr. Disraeli again explained, but appeared to still hold the threat of dissolution in *terrorem* over members pending the Church debate. Sir S. Northcote said there was no "menace" to the Parliament. South Germany threatens secession from the Customs Union. Napoleon is said to have proposed a Russo-French mediation between Turkey and Crete. Baron Bismarck gave a grand banquet to the foreign Ministers in Paris.

The steamship City of Boston, from Queenstown April 23, reached this port at about two o'clock this morning. Her mail report has been anticipated in all its main points by the details by the Union published in the HERALD.

THE CITY.

The usual May anniversaries are fairly upon us. The New York and Hudson River Unitarian Conference held their preliminary exercises at the Church of the Messiah, in Thirty-fourth street, last evening, and the anniversary exercises will commence this morning. The Five Points House of Industry will also hold their anniversary to-day at the chapel of that institution.

A large temperance meeting was held in Plymouth church, Brooklyn, last evening. Henry Ward Beecher was not present, but Stephen H. Tye, Jr., was introduced and addressed the assemblage. The Erie Railroad dock in Jersey City gave way under a freight train yesterday morning, precipitating the engine, tender and one car into the water beneath. The engineer and fireman were instantly killed.

A trot took place on the Fashion Course yesterday between Bradley, Breeze, Pense and Amber. The race was not decided, although six heats were trotted, Pense and Breeze each leading in two of them, and Pense making the best mile, 2:31. The race was then postponed to the first fair day.

An important decision was yesterday rendered by Judge Blatchford, in the United States District Court, bankruptcy branch, on the bankruptcy of Robert C. Hathbome. Judge Blatchford, after severely animadverting on the bankrupt's conduct in scheming to defraud his creditors by false representations and returns, refused the bankrupt a discharge. The decision, which is given in our law columns, is one of great importance and interest to the business community.

The Anchor Line steamship United Kingdom, Captain Donaldson, will leave pier 20 North river at twelve M. to-day (Wednesday) for Liverpool and Glasgow, calling at Londonderry to land passengers, &c.

The steamship Herman Livingston, Captain Eaton, will leave pier 36 North river at three P. M. to-day (Wednesday) for Savannah, Ga.

The stock market was dull but on the whole steady yesterday. Government securities were firm. Gold closed at 129 1/2.

MISCELLANEOUS.

We have correspondence from St. Domingo, Hayti

and Cuba, but the main items of news have been anticipated by our telegrams over the Gulf cable. It was not known in St. Domingo whether Baes would accept the dictatorship, although it had been tendered him with great unanimity, and he had already been proclaimed as such by the national Congress. In Hayti it had been very generally believed that American filibusters were at the bottom of the Cacos rebellion, but the idea was now exploded. The British and French residents are somewhat eager to hear more of the policy of Mr. Seward towards Hayti. The American Minister was expected daily. Mr. De La Relatue, the acting American Consul at Havana, was attacked by one Garcia, an ex-shipping master, whom the Consul had refused to recognize officially. De La Relatue was not seriously injured, and Garcia was arrested. The acting Consul now demands the usual reparation from the authorities, and has laid his case before Secretary Seward.

The New York delegates to the Chicago Convention met in Albany yesterday and adopted resolutions expressive of their determination to vote for Fenton for Vice President.

The Radical State Convention in Concord, N. H., yesterday chose Mason W. Tappan as President. Letters were read from radical Congressmen expressing the belief that the impeachment trial would close and Wade be in the White House "when the apple blossoms came." Resolutions were adopted favoring Grant for President and endorsing the impeachment action.

The statement of the public debt for May, which has just been issued, shows the total debt, less cash in the Treasury, to be \$2,500,323,827, a decrease since April 1st of \$18,680,800.

In the General Methodist Episcopal Conference at Chicago yesterday Bishop Simpson delivered the Episcopal address. Eight thousand copies of it were ordered to be printed. Among the petitions presented and referred to committees was one favoring the election of bishops for a term of years and their induction into office without consecration.

Advices from the Indian country state that the Indians some time ago killed thirteen persons near Tulezo, New Mexico, and more recently captured a train in the same place. A force started from Tulezo to attack them, and it was reported that a fight had occurred in which seven of them were killed. Numerous outrages are reported along the line of the Pacific Railroad in Nebraska. Four section men of the railroad were recently killed at Plumb creek. The trains pay no attention to schedule time, laying up wherever night overtakes them.

The grand musical festival of the Handel and Haydn Society commenced in Boston yesterday. Among the singers are Parepa-Rosa and Adelaide Phillips. The busts of Beethoven and Mozart were unveiled yesterday.

In the Cole trial at Albany yesterday the summing up of counsel on both sides was concluded, and the Judge made his charge to the jury, which retired some time afterwards the court was informed that the jury could not possibly come to a decision for some time, and accordingly adjourned until this morning.

The Republican Rupture—The Golden Opportunity of the Conservatives.

Our special advices from Washington and the general tenor of the news from all sources unmistakably indicate that the republican party is on the eve of a serious rupture, that threatens, on the one hand, to overthrow the radical programme for the conviction and removal of Johnson, or, failing that, to enter into the approaching Presidential election as a disturbing element. We are told, with unusual positiveness, that Fessenden, of Maine, one of the most respectable members of the United States Senate and a cabinet officer under President Lincoln, has prepared an elaborate legal opinion on the first three articles of impeachment, in which he holds that the Managers have failed to establish the charge made against President Johnson, and that he is entitled to acquittal. It is further rumored that Senators Grimes, Trumbull and Henderson will also present written arguments on the same side, and that a sufficient number of republican votes will go with them to shape the verdict of the Senate in accordance with the evidence and the law. Even Senator Wilson has been mentioned as in the doubtful category within the past two days, while it becomes more and more evident every hour that Chief Justice Chase, who is placed in a position in which it devolves upon him, under his oath of office, to maintain the constitutional rights of the judicial branch of the government, will insist upon closing the impeachment trial, according to established usage, with a charge from the bench or withdraw from the mockery of a court. The evidences of demoralization are not confined to the Senate. In the House the recent violent debates, the croppings out of jealousy and suspicion, the manifest sympathy of the majority with an assault upon the confidential friend and adviser of General Grant, are the clouds in the radical sky that portend the coming storm.

What has caused this notable change in the prospects of the republican party, which seemed only a few days ago to be steadily moving on down the radical stream to the removal of Johnson, the installation of Old Ben Wade in the White House, the distribution of the federal spoils among the faithful, and the initiation of a general jubilee of expansion, inflation, speculation and negro reconstruction? It is, first, the returning reason of those men in the republican ranks who have hitherto deplored and opposed the revolutionary policy of the extreme radicals, but who have been temporarily silenced and overborne by the violence of the Jacobin leaders; and, next, the mistrust of Wade and his radical friends that has suddenly sprung up in the breasts of those who aspire to positions on the republican Presidential ticket. The republican party has never been solidly united upon well defined political principles. Its sole bond of consolidation, in the first place, was opposition to the further extension of slavery, which time and circumstances developed into the advocacy of its total abolition. But the organization was made up of incongruous elements, and on all questions save this one—on finance, taxation, currency, the treatment of the negro after his liberation, and almost every subject that must arise in civil government—its members were essentially divided. The war of the rebellion held the party together, increased its power and overshadowed all minor issues upon which differences of opinion might have arisen. With the return of peace and the final and total wiping out of slavery the occupation of the republican party was gone, and men were already preparing for a new departure, when the breaking out of the bitter feud between the President and Congress forced them once again into united action.

All this time, however, through the war and during the subsequent fight with the Executive, the conservative element has still lived in the republican organization. It has manifested itself in the action of Congress on several occasions, and has constantly been the saving clause in the republican platform before the people. Yet it has been held in subjection by the superior force and boldness of radicalism and has suffered from the folly of those who have attempted to place themselves at

its head. President Johnson might have made the republican party the party of broad, liberal views and statesmanlike policy, and have utterly crushed out the Jacobins who were already preparing to array themselves against Lincoln at the time of his death, had he called Congress together upon his accession to power and united with the legislative department in carrying out his policy of Southern reconstruction. He neglected the opportunity, and thus arrayed his party against him. A number of seedy politicians attempted to raise up the conservative republican banner from the dust at the famous Philadelphia Convention, but they only succeeded in running themselves into copperheadism, and were laughed at for their pains. Grant was looked up to as the coming leader of the conservative forces, and he was a champion dreaded by the radicals. But they set to work to undermine the citadel they despised of carrying by assault, and Grant fell before them. It is a singular fact that only a few months ago Grant was feared as the great opponent of radicalism, while Chief Justice Chase was regarded as his coming man. When the present Congress met the influence of the previous elections made itself felt, and again conservative republicanism asserted its power. The radicals found themselves in a minority, Butler and Stevens were beaten at every turn, and impeachment went by the board. But by perseverance and tact, joined with unsurpassed boldness of action, the Jacobins again secured the upper hand. Johnson fell into the trap prepared for him by his vindictive enemies, and, bated with Grant, impeachment at last prevailed, and once more conservative republicanism seemed forever crushed out of existence.

The apparent annihilation of conservatism may, however, prove, after all, its salvation. Now is its golden opportunity. The impeachment, to which the radicals have pinned their fortunes, is a miserable failure before the people. If it should be suffered to succeed it will be to the disgrace of the nation and the disgust of all honest men. Yet its success is the only thing that can give the radicals permanent and assured control of the republican party. Such men as Stevens, Butler, Boutwell, Wade and Logan, who have heretofore been regarded as mischievous factionists by their associates, aspire to lead the organization and guide the administration. Their ambition is to strip the executive and judicial branches of the government of all power, to build up a legislative autocracy and to mould Congress to their will. The removal of Johnson and the advancement of Wade to the Presidency can alone secure to them the objects at which they aim. But their revolutionary programme is unpopular with the people, and, as the recent elections have shown, hopelessly destroys the strength of Grant as a Presidential candidate. Let the conservative republicans of the Senate, then, unite with Chief Justice Chase in demanding the acquittal of the President on the clear point of law that there is no case to go to the jury; let them, in fact, non-suit the Managers, and with impeachment will fall forever the Jacobin leaders who would bring ruin upon the country. The path of the conservatives will then be clear. Let them nominate Chase for the Presidency, with such a man as Thomas or Schafeld, or some other sterling soldier, as Vice President, and they will rally the masses of the country to their support and will crush out the radicals and the copperheads together. If they pursue this policy their success is assured. The democrats, with the bitterest fight before them that has ever been experienced in a political convention, can make no nominations against such a ticket. A few confirmed copperheads might sough off on to Pendleton, Seymour, Vallandigham, Fernando Wood or some other notorious rebel sympathizer, as the handful of Jacobins would adhere to Grant, Wade, Ben Butler or whoever might be their nominee; but the great body of the people will go with the party that had proved itself true to the constitution and support the man who had proved himself the firm and fearless upholder of the law.

Congressional Dignity and Decorum.

The Donnelly-Washburne flare-up in the House of Representatives on Saturday last was to Donnelly and Washburne, to the Speaker and to the House, a disgraceful affair. With the addition of a little potboise swearing and a knock down or two the spectacle would have been a complete representation of the worst of our city whiskey shop primary election conclaves in the "good old times" of such fighting factions as the "Short Boys" and the "Dead Rabbits." According to Donnelly, Washburne was a degraded creature, utterly unfit to associate with honest men; while according to Washburne, Donnelly was an escaped criminal, whose proper place was the State Prison. The Speaker, on the privileged question of a personal explanation, allowed these men the privilege of unstinted abuse of each other, and the House was so far from being shocked with their scandalous scurrility that it really seemed to consider the entertainment as good as a play and enjoyed it hugely.

The intervention of Sunday, however, with its better influences, it appears, brought about something like the "sober second thought," and some ideas of dignity and decorum among the members, with the meeting of the House again on Monday, and so for the stirring melodrama of "Jack Sheppard" was substituted the amusing farce of "High Life Below Stairs." Donnelly retracted the particularly offensive portions of his Saturday's rignarole; Washburne retracted his offensive reply; and with the *entente cordiale* thus established between the parties the enthusiastic and generous Donnelly proposed that he and Washburne imitate the illustrious example in the case of the Secretary of War and General Thomas, and go out and take a drink—a proposition which, it appears, was received with unbounded applause from all sides of the chamber. Still, it appears that there is to be an investigation of the Washburne letter against Donnelly, in which the latter is charged as having played the rôle of a fugitive from justice, under an alias and between two days, in his removal from Philadelphia to Minnesota.

This brings this Donnelly-Washburne case up to the standard of Andrew Johnson's impeachment; for as there are seven managers of the House in the prosecution of Johnson, so there are seven members upon this Donnelly-Washburne committee of investigation. Mr. Eldridge

of Wisconsin, submitted the question if the matters in issue in the investigation "are not on all fours with the eleventh article of the impeachment," which relates to Andrew Johnson's stump speeches while "swirling round the circle;" but we must say that we have had nothing for a long time "hanging on the verge of the government" equal in its way to this Donnelly-Washburne flare-up, or to the explanations and apologies of these offenders before the House. A few days hence, we dare say, the House will be called to the consideration of more serious matters with Johnson's removal or with the inglorious collapse of Johnson's impeachment, but especially in the event of a collapse.

The Financial Prospect—Impeachment in Wall Street.

The aspect of financial and commercial affairs is brightening, and money is returning rapidly from the interior to this city, where it will soon have the effect of lowering the rate of interest and stimulating trade as well as speculation in Wall street. For the time being, however, the country is held in a state of suspense, owing to the impeachment trial, and with this concluded, whether it involve the conviction or the acquittal of the President, a sense of relief will be experienced which cannot fail to improve business prospects generally. At present the uncertainty attending the result of the trial and its effect is productive of stagnation, and any change from this condition of things must be for the better. It is generally believed in Wall street that the President's conviction will cause an immediate rise in the price of stocks and commodities, including gold, because the public will jump to the conclusion that under Ben Wade we shall have currency inflation. This last is not improbable; but we are as likely to have a fresh issue of a hundred millions of currency if Mr. Johnson remains in office as we are if he is deposed; for, in either event, many of both political parties will make desperate efforts to pave the way to the next Presidential election with new greenbacks. If the President is acquitted the effect upon the public mind will be reassuring, and an impetus will thereby be given to trade and speculation, while its beneficial effect upon the public credit will probably be reflected in improvement in the market for government securities.

Impeachment alone beclouds the prospect, and as soon as this all-absorbing question is disposed of the currency and the finances generally will engage the attention of Congress. The great West will clamor for greenbacks enough to pay off the national debt, while the hard money men of the Eastern States will oppose any further inflation, and a compromise will probably be the result on the basis of the hundred millions referred to, the result of which will be that we shall enjoy a period of almost unexampled temporary prosperity, and that everything in Wall street and elsewhere will, as the phrase is, "go kiting," after which we shall suffer a correspondingly violent reaction; but as the hope of every man will be to take in sail before the storm comes, this will have no terrors for speculators, whether in trade or stocks. The financial question will, from its importance, be debated with spirit and a variety of projects will be launched; but it is doubtful whether, after all, anything important beyond the currency measure will be accomplished. Nor is it desirable that any act of a disturbing character should be passed, for there is more danger than safety in financial tinkering. The season of the year is favorable to improvement in both monetary and mercantile affairs, and those who predict that the acquittal of the President will do otherwise than stimulate this tendency will find themselves false prophets.

The Ministerial Crisis in England—Disraeli Still in Office.

With a tenacity of purpose characteristic of his race Mr. Disraeli still clings to the honors, responsibilities and emoluments of office. Why should it be otherwise? The summit of the steep ascent has been but recently reached. The atmosphere is pleasant and bracing. The previous toil had been hard and long continued. Why should the prize be abandoned just when the prize had been won? Is it not something for a Jew, a descendant of Jacob, the son of a homeless race, a man who claims no higher title than that of being a son of Israel—is it not something for such a man to sit at virtual king, dominating the haughty descendants of the proud Norman barons? Such is Mr. Disraeli's position. Why should he abandon it?

Mr. Bright, with his usual shrewdness, has said that an adverse vote was no disgrace, that the disgrace lay in holding office after such a vote. The correctness of such an assertion, especially when we bear in mind the principles which by common consent and ancient usage govern the parliamentary system of England, is not to be disputed. When a minister, by a succession of adverse votes, finds himself hopelessly in the minority, it is unquestionably his duty to resign, and to advise the monarch to call to her aid the recognized chief of the opposition. Mr. Disraeli, tenacious as he is of place and power, was gentleman enough to do this. He bowed to his fate like a true and even brave man. He told the House of Commons that the vote of Saturday morning was of such a character as to change the relations of the ministry and the House, and asked time to decide on the course to be followed in the circumstances. He saw her Majesty and tendered his resignation. The Queen, appreciating the difficulty of the situation, refused to accept it. What more could a noble and gifted descendant of an illustrious race do but consent to remain in office and serve his sovereign to the extent of his ability? His colleagues, feeling the force of parliamentary etiquette and ancient usage, were unwilling at first to remain at the heads of their several departments. Their scruples, however, have been got over, and, to the annoyance of the liberals, this obnoxious but gifted and indispensable man remains the virtual head of the British empire. Mr. Disraeli in his able speech on Monday evening justified the claims of the Tories to the confidence of the House and of the country. Their promises had not ended in words. They had given the country real and substantial reforms. Their record was a record of facts, not of empty and unfulfilled promises. Mr. Gladstone, of course, was furious. Mr. Lowe, the Adulante chief, was indignant. Mr. Bright, the noblest, the bravest and the most honest of them all, was deeply dissatisfied. But when a

Jew has the grip what signifies fury, indignation or dissatisfaction? Mr. Disraeli for the present remains Prime Minister of England.

There is only one thing which the House of Commons can now do, and it remains to be seen if they will do it. They can, as Mr. Disraeli fearlessly informed them, pass a vote of want of confidence. If they do this, which they may, they will drive him from place and power. If they do his chances of ultimate success will be greater than ever. He will have a chance of retrieving the one false step of his life—that of joining a party with which he has never been in sympathy. Let him abandon that ungrateful party—a party which he has served not wisely but too well. Let him play the part for which by nature and by training he is admirably fitted. His true rôle now is that in which Richelieu was successful, but in which Mirabeau failed. He has an opportunity of making his name greater than either.

Spanish Restrictions Upon American Trade—A Hint to the State Department.

We print elsewhere a minute and authentic statement of the restrictions and impositions imposed upon American commerce by the Spanish authorities in Cuban and other West Indian ports. From the facts of the several cases, gleaned from correct sources and sifted of all legal phraseology, it appears that the authorities of the several Cuban ports especially have contracted a regular habit of imposing fines, varying from twenty-five dollars to thirty thousand, upon American vessels and for the most trivial pretexts. A blot or an erasure, or even a misspelled word in the manifest, has on frequent occasions been made the pretext for the imposition of an annoying and often ruinous fine, and that, too, when the error was so obviously a slip of the pen as to vitiate any possible pretence of intention to defraud; and but recently an American vessel was fined twenty-seven thousand dollars for the offence of having left six hundred packages of freight upon the dock in this city, which packages appeared upon the manifest. The captain of the vessel was refused the customary civility of altering the manifest, though it was made clearly to appear that the packages had never been on board.

By this case and by cases similar—as, for instance, that of the Ocean Home—considerable sensation has been created in commercial circles, and an effort is now being made to bring the matter before the Department of State with a view to the recovery of a just indemnification for these illegal and annoying fines and seizures.

The facts as developed exhibit a thinly disguised intention on the part of Cuban Custom House officials for the plunder of American shipowners by a sort of legal—though shabby—system of buccanering, which can only be abated by the interference of the United States government or a new volume of Mr. Seward's diplomatic correspondence. In several of these cases—in fact, in the only important ones—it will be observed that the Spanish authorities have remitted the fines imposed, thus virtually admitting the illegality of their imposition and the consequent seizure, though in two cases they had proceeded as far as confiscation and had threatened sale of the property. Let Mr. Seward, therefore, foot up a bill of indemnities due for illegal detainer and the like, and in default of payment hold Cuba to bail for the exact amount indicated by the figures.

Chief Justice Chase and the Impeachment.

Mr. Bingham yesterday continued the closing argument of the prosecution in the impeachment trial, and through all that argument the thing most apparent was the radical fear of Chief Justice Chase. Apprehension of the Judge was the unconscious import of the gentleman's harangue. Ostensibly the Manager discussed nearly every other subject, and while complaining of the length and diffuseness of the defence sinned more palpably in that way than any man on the other side; but wander as he might he could not get away from the main thought—the thought that now concentrates the whole activity of the radical intellect—that something must be said, done or endeavored to prevent the head of the Supreme Court from being heard in the Senate. Butler knows and feels that the case of his faction is the worst ever put in court. Stevens knows this; Sumner knows it; Bingham acknowledges it by his failure to urge conviction on the points properly up for trial; but they all believe that they can bully the Senate into conviction. They believe that party discipline will secure a sufficient vote, in spite of right and reason, if the Senate be left to itself. There's the rub, however; for if the Senate be not left to itself nothing is certain. If one bold, strong voice shall be raised in the chamber for justice and law; if one conscientious, honest man shall declare that there is no case—shall point out to the Senate the utter failure of the House of Representatives to prove what it promised to prove and remind Senators that their oath requires acquittal where guilt is not shown—the awakened pride and strengthened courage of Senators will inevitably declare against impeachment and lift that body above the control of the pitiful motives through which the Managers expect to secure a verdict in their favor.

All this anxiety on the part of the Managers fixes attention on the point in their case that shows it in its most characteristic aspect as fearing most of all the plain ruling of the law. Already ten gentlemen have delivered discourses not notable for brevity on the points in this case; something like fifty more will discuss it, if it is still the purpose of every Senator to be heard. If, then, the case will stand discussion at the hands of sixty gentlemen more or less learned in the law, how is it that the opinion of one more is likely to be such an irreparable harm that the Managers will smother it at any cost; and why should Mr. Chase, of all others, be the one they can least endure to hear? He is a republican, too, and they cannot fear that he will soil the ermine with any of those peculiarly democratic views of the constitution that are an offence to the nostrils of the dominant power. Time was that he was even counted the head and front of the radicals. How is it, then, that these men are afraid to hear from the bench the voice of the really dominant intellect of their own party pronouncing on the case whose success is to them a necessity—a matter of life and death. They fear it because in giving themselves to this impeachment madness they have cons

away from all the proper and legitimate purposes of the republican party—because this impeachment project is the scheme of no party and no respectable portion of a party, but only of a half-dozen political desperadoes who have hitherto bullied half of Congress into going with them, and who fear to have the exact limit of their power shown by Chase's putting his foot upon their plans. They fear to have Mr. Chase pronounce on impeachment, because they know it to be as much in defiance of law as of all decency, and because his whole record shows him to be a man whom no views of party expediency can bend to abuse his position to deliberately sustain what is wrong and false. They know that he will declare the truth—they fear nothing so much as the truth—and hence their eagerness to keep him silent.

But Chief Justice Chase knows the duties and powers of his office. He will be heard on this case from that most responsible position that the head of the national judiciary can hold. He will be heard, or there will be no court competent to render a judgment deposing the President of the United States; for from the moment it becomes obvious that the factious few can control the Senate so far as to silence the Judge it will be equally obvious that the Senate is subject to influences that incapacitate it for a pure discharge of its duties, and it will be necessary for the Chief Justice to retire. Matters will, perhaps, not be pushed to that extremity. The desperadoes will, perhaps, carry their fury only so far as to write their own sentences for the future, and will fail in their effort; while the Chief Justice will so distinctly expound the constitutional significance and purpose of impeachment as to render it impossible for the Senate to apply its penalties to Mr. Johnson. One great effect of this will be to purge the political atmosphere of the wretches who have engineered all this process for corrupt objects, and to initiate a new departure in party organization with the one distinctly grand, honest, national figure in all this turmoil most prominent in men's thoughts.

Rise and Fall of Amusements in New York.

One striking peculiarity of the American people must be confessed to be their passion for novelty. Like the Athenians, they are forever on the outlook for "something new." Even the French, with all their proverbial fickleness, are more constant in their attachment to certain amusements than the Americans have proved to be. Thus, for instance, the pretty ceremony of crowning the *rosière* at Nanterre has survived centuries and revolutions; and innumerable other instances might be adduced. The opera and the ballet have always been steadily popular at Paris ever since their first introduction. In England roast beef and horse racing have long been permanent institutions. But in America, and especially in New York, there has been a perpetual kaleidoscopic variety of attractions, each of which has caught the popular eye only, as it were, for an instant. Many years ago, when horse racing became so popular that a once prominent journalist, now an old gentleman exiled to South America in some diplomatic capacity, used to rig himself up as a jockey and gallop up and down Broadway, everybody in New York "talked horse," as General Grant has been reported to do at present. But the rage for horse racing in the days of Eclipse lasted for comparatively a short period. The fury of speculations in Wall street succeeded it, and those who had accumulated thousands and hundreds of thousands of dollars in the regular lines of commerce and trade rushed to risk their wealth in the gambling operations of "the street." Recently the fondness for horsemanship has revived, and some of the most conspicuous bulls and bears betray a decided propensity for such equine sports as are offered by Bloomingdale road, the Central Park and Jerome Park.

When Palmo built the first opera house the town was opera-mad until Palmo's failure dashed cold water on the temporary enthusiasm of the public. At length, after a prolonged eclipse, opera shone forth again, and there was a time when nothing was talked of by pleasure seekers but "Norma" and "Ernani" and the rest of the operatic attractions. The vast, cool and well ventilated Academy of Music has been sometimes so crowded as to encourage the wild hope that Italian opera had found an abiding home in New York. But the selfishness and short-sightedness of the one hundred and ninety-nine and a half stockholders and the bad management of the "so-called" managers infused a subtle poison, like the fatal poisons of the East and of Italy, into the veins of operatic prosperity, and a slow death was its destiny.

The "Black Crook" gave to the ballet such an impulse as it had never before received in this country. Its unparalleled success lent a prestige to the "White Fawn," which, in its turn, has caused Niblo's Garden to be nightly thronged for months. But even the ballet seems to be on its last legs, and the multitude is growing weary of the spectacular shows and the indecent nudities which hitherto they have eagerly gazed to see.

Batemann's introduction of the *opéra bouffe* has been the most permanently attractive novelty of the past season. The "Grande Duchesse" bequeathed her fascinations to the "Belle Hélène." But even the sparkling music of Offenbach will begin to pall upon the ear of a New York audience unless it be married to additional novelties. Happily the repertory of Offenbach operas is still far from being exhausted.

The managers of our theatres should take special warning by the lessons suggested by the history of the sudden rise and sudden fall of amusements in New York. Even Wallack's theatre, with all its legitimate claims on public interest, must expect in due time to be deserted if the only novelties which it intersperses occasionally among fossilized old plays are constructed after the style of Bowery blood-and-thunder-and-lightning sensationalisms. It should aim at presenting novelties not altogether unworthy of the sterling comedies of English literature which it has sometimes so admirably reproduced. The New York public craves something good as well as something new. What is good will be heartily appreciated; but whether good, bad or indifferent, it is indispensable that the attraction be new. If likewise it be good, all the better; but however good it may prove it must be replaced by something else as soon as the popular interest in it begins to ebb according to the regular tide laws of public amusements in New York.